

507. Misbranding of Locao Belem. U. S. v. 74 Bottles and 49 Bottles of Locao Belem. Consent decree of condemnation; product ordered released under bond. (F. D. C. No. 3447. Sample Nos. 32807-E, 32808-E.)

On December 2, 1940, the United States attorney for the Southern District of California filed a libel against 74 3-ounce bottles and 49 6-ounce bottles of Locao Belem at Los Angeles, Calif., alleging that the article had been shipped on or about November 1, 1940, by the Belem Products Co. from Houston, Tex.; and charging that it was misbranded.

Analysis of a sample of the article showed that it consisted chiefly of water, alcohol, a foam producer, a small amount of glycerin, and perfume materials.

The article was alleged to be misbranded in that statements in the labeling representing that it was efficacious in the treatment of baldness, falling hair, dandruff, and irritated scalp; that ordinarily dandruff or itching scalp would respond quickly to treatment with it and that satisfactory improvement or even complete elimination of these conditions would result in from 2 to 4 weeks; that it would bring about improvement in the less severe cases of falling hair in a few weeks and would be efficacious to correct the more severe cases of falling hair in from 3 to 6 months; and that it would be efficacious to develop new growth on bald areas, were false and misleading since it would not be efficacious for such purposes.

On December 23, 1940, Belem Products Co., claimant, having admitted the allegations of the libel, judgment of condemnation was entered and the product was ordered released under bond to be brought into compliance with the law under the supervision of the Food and Drug Administration. Subsequently, the product was relabeled to conform to the requirements of the Food, Drug, and Cosmetic Act.

508. Misbranding of Parisian Style Saje. U. S. v. 9 Dozen Bottles of Parisian Style Saje. Default decree of condemnation and destruction. (F. D. C. No. 3217. Sample No. 4575-E.)

This product contained no ingredient or combination of ingredients that would produce the effects indicated below. It also was deceptively packaged in that the bottle had been placed in a carton that was twice as large as would have been necessary to hold it.

On or about October 23, 1940, the United States attorney for the Northern District of Illinois filed a libel against 9 dozen bottles of Parisian Style Saje at Chicago, Ill., alleging that the article had been shipped by Giroux Manufacturing Co. from Buffalo, N. Y., on or about March 29, 1940; and charging that it was misbranded.

Examination of a sample of the article showed that it consisted essentially of water, alcohol, glycerin, and small amounts of resorcinol, volatile oils, and capsicum.

The article was alleged to be misbranded in that the following statements were false and misleading since it was not efficacious for the purposes recommended: (Carton) "To aid normal hair growth use Parisian Style Saje daily, rubbing it well into the scalp so that it can soak into the pores and stimulate the superficial circulation * * * For helping the natural growth of the hair"; and (bottle) "Use often to help keep the scalp stimulated * * * and aid the natural hair growth."

It was alleged to be misbranded further in that its container was so made, formed, or filled as to be misleading.

The article was also alleged to be misbranded under the provisions of the law applicable to cosmetics, as reported in C. N. J. No. 66.

On January 23, 1941, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

509. Misbranding of skin stimulant and texture oil. U. S. v. 114 Bottles of La Bonita Hollywood Skin Stimulant and 24 Bottles of La Bonita Hollywood Texture Oil. Decree of condemnation and destruction. (F. D. C. Nos. 4865, 4866. Sample Nos. 65607-E, 65608-E.)

On June 9, 1941, the United States attorney for the District of Colorado filed a libel against the above-named products at Denver, Colo., which had been consigned by the House of Hollywood, alleging that the articles had been shipped in interstate commerce on or about May 2, 1941, from Los Angeles, Calif.; and charging that they were misbranded.